

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

Plaintiff,

JOHN BALDWIN, LEONARD BELL,
JOHANNES KAINDOH, WAYNE
HENDERSON, GODWIN ENAGBARE and
JOE L. WILLIS

Intervenor-Plaintiffs

v.

WASHINGTON GROUP INTERNATIONAL,
INC., RON BENNETT, MICHAEL FOGARTY,
and DENNIS WOODRUFF,

Defendants.

Civil Action No. 04-12097-GAO

MOTION TO WITHDRAW AS COUNSEL FOR DEFENDANT MICHAEL FOGARTY

Stephen T. Paterniti, Esq. and Andrew C. Pickett, Esq., file this motion to withdraw as counsel for Defendant Micheal Fogarty in the above-captioned action. As grounds therefore, Mr. Paterniti and Mr. Pickett state that after consultation regarding a potential conflict of interest in joint representation of Defendant Washington Group International, Inc. and Mr. Fogarty, he has chosen to be represented by other counsel, Lisa Damon and Jennifer Serafyn of Seyfarth Shaw. Ms. Damon and Ms. Serafyn have filed a notice of appearance on Mr. Fogarty's behalf.

Respectfully submitted,

/s/ Stephen T. Paterniti

Stephen T. Paterniti, BBO #564860

Andrew C. Pickett, BBO #549872

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Dated: February 1, 2007